

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Indigo)	Application No. 911-022.14
Wireless, Mansfield,)	
Pennsylvania, seeking funding)	ORDER APPROVING COSTS AND
approval for recurring and non-)	INCORPORATING PRIOR DOCKET
recurring costs of Enhanced)	
Wireless 911 implementation.)	Entered: February 27, 2007

BY THE COMMISSION:

The Commission approved written requests for funding received February 27, 2004, wherein Indigo Wireless, Mansfield, Pennsylvania, sought funding from the Enhanced Wireless 911 Fund to provide enhanced wireless 911 service to the following public safety answering points (PSAPs): Banner County, Box Butte County, Cheyenne County, Dawes County, Deuel County, Garden County, Kimball County, Morrill County, Scottsbluff County, Sioux County, and Sheridan County.

Indigo Wireless sought initial non-recurring costs and recurring costs to implement and provide enhanced wireless 911 service for the above-listed PSAPs. Initial costs were for data circuits, facility charges, engineering labor, database upgrades, project management and other operations costs. Recurring costs were monthly fees for data circuits, facility charges, ongoing engineering labor, database management and project management.

O P I N I O N A N D F I N D I N G S

This Order is being processed pursuant to *Neb. Rev. Stat.* §§ 86-444 to 86-456 (2006 Supp.), 291 Neb. Admin. Code, Chapter 1, Section 5, and Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002.

As an initial matter, the Commission finds consistent with its order entered in Docket 911-022 on July 18, 2006, that all filings and orders entered in Docket WSP-014 shall be incorporated into the present docket by this reference.

Costs requested in relation to this Order are eligible under *Neb. Rev. Stat. § 86-465(2)(a)* (2006 Supp.).

All costs have been incurred or will be incurred to implement enhanced wireless 911 service, and may include the following: (a) the portion of the costs for new equipment used for providing enhanced wireless 911 service; (b) costs to lease another vendor's equipment or services to provide enhanced

wireless 911 service; (c) costs to create or maintain any database or database elements used solely for enhanced wireless 911 service; and (d) other costs of establishing enhanced wireless 911 service.

Indigo Wireless submitted an implementation plan in compliance with Commission Docket No. 911-001.

Based upon the request for funding and supporting documentation, the Commission is of the opinion and finds that the request for funding should be granted under the following conditions.

Indigo Wireless has already implemented enhanced wireless 911 service in Banner County, Box Butte County, Cheyenne County, Dawes County, Deuel County, Garden County, Kimball County, Morrill County, Scottsbluff County, Sioux County, and Sheridan County. Funding for these counties pursuant to this Order shall continue.

Attached hereto in Appendix A is a summary of approved funding for Indigo Wireless to be paid from the Fund. All amounts previously approved will be paid according to the amounts set forth in Appendix A as of the effective date of this order. Information set forth in Appendix A shall be treated as proprietary and confidential.

Payment of all recurring charges shall be made in arrears on a quarterly basis. Payment shall be adjusted based upon the number of cell sites reported by Indigo Wireless in its quarterly reports required by Neb. Rev. Stat. § 86-459 (2006 Supp.) Payments to Indigo Wireless will no longer be made upon invoice. The Commission will not approve any increase in Wireless Carrier costs during the effectiveness of the interim policy, which was adopted by the Commission in Application No. 911-017/PI-116, Order Adopting Interim Policy, January 9, 2007. The Commission will continue to consider costs associated with new implementations.

Indigo Wireless shall comply with all reporting requirements set forth in § 86-459. Failure to do so could result in delay or loss of funding.

The Commission further finds that Indigo Wireless is hereby put on notice that approval of the funding pursuant to this Order is made with the understanding it may be modified in the future consistent with the permanent funding mechanism established pursuant to LB 1222 (2006).

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that all filings and orders entered in Docket WSP-014 shall be incorporated into the present docket by this reference. All future funding requests filed by Indigo Wireless shall be filed in the present docket.

IT IS FURTHER ORDERED that Indigo Wireless's funding should be granted as outlined herein.

IT IS FURTHER ORDERED that all future payments made to Indigo Wireless after the effective date of this order shall be consistent with Appendix A unless otherwise ordered by the Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 27th day of February, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director